

THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	}	Case No 3:14-bk-06663
JUDY ANN CHOCKLEY	}	
160 WADE HERROD ROAD	}	Chapter 13
SMYRNA, TN 37167	}	
SSN: xxx-xx-3762	}	Judge Randal S. Mashburn
Debtor	}	

**EXPEDITED MOTION TO MODIFY PLAN TO UTILIZE INSURANCE PROCEEDS TO PAY OFF  
DEBTOR'S CHAPTER 13 BANKRUPTCY AND UTILIZE REMAINDER TO PURCHASE A  
REPLACEMENT VEHICLE FREE AND CLEAR OF ANY LIENS**

COMES NOW the Debtor, by and through counsel, pursuant to 11 U.S.C. § 363 and would request that the Court enter an order allowing the Debtor to Utilize Insurance Proceeds To Pay off Her Case and Utilize Remainder to Purchase a Replacement Vehicle Free and Clear of Any Liens.

The Debtor's Chapter 13 proceeding was filed on August 20, 2014 and a plan was confirmed on October 28, 2014..

As grounds, the Debtor would state the following:

**I. EXPEDITED RELIEF REQUESTED**

- A. The Debtor's 2014 Chrysler 200 was totaled in an auto accident.
- B. The insurance company, State Farm Insurance, is prepared to issue insurance proceeds in the amount of \$9,844.85.
- C. Insolve Auto Funding, LLC, C/O Capital Recovery Group, LLC holds a secured claim in the Debtor's Chapter 13 case with a lien on the Debtor's 2014 Chrysler 200 which has a balance of \$1,807.60 according to according to the records of the Chapter 13 Trustee.
- D. The Debtor seeks permission to utilize the insurance proceeds to pay off the case in the amount of \$4,915.75. The insurance company shall send \$4,195.75 to the Chapter 13 Trustee to be disbursed to the Debtor's Chapter 13 plan to pay off her case.

- E. The remaining balance of the proceeds shall be paid directly to the Debtor to use to purchase a replacement vehicle. This amount is subject to change depending on disbursements made by the Trustee during the pendency of this motion.
- F. Flexer Law, PLLC would apply for additional fees to be added to the Debtor's Chapter 13 plan for time expended in connection with this matter.

## **II. REASON FOR EXPEDITED RELIEF**

- A. The Debtor is in need of reliable transportation to get to and from work in order to fund her Chapter 13 bankruptcy.

Respectfully submitted,

/s/ Daniel T. Castagna

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## **CERTIFICATE OF SERVICE**

I hereby certify that on January 30, 2019, I furnished a true and correct copy of the foregoing to the following parties in interest:

Henry E. Hildebrand, III  
Chapter 13 Trustee  
P.O. Box 340019  
Nashville, TN 37203-0019

Electronic

**US TRUSTEE**  
OFFICE OF THE UNITED STATES TRUSTEE  
318 Customs House, 701 Broadway  
Nashville, TN 37203

Electronic

JUDY ANN CHOCKLEY  
160 WADE HERROD ROAD  
SMYRNA, TN 37167

U.S. Mail First Class

State Farm Insurance  
Attn: Claim Number 427317G65  
Po Box 52250  
Phoenix, AZ 85072-2250  
(CORRESPONDENCE AND TITLE)

U.S. Mail First Class  
Fax: 855-666-0964

Insolve Auto Funding, LLC  
C/O Capital Recovery Group, LLC  
Po Box 64090  
Tucson, AZ 85728-4090  
(NOTICES ONLY)

U.S. Mail First Class  
Email: [claims@ngic.com](mailto:claims@ngic.com)

Insolve Auto Funding, LLC  
C/O Capital Recovery Group, LLC  
Dept. 3403, Po Box 123403  
Dallas, TX 75312-3403  
(PAYMENTS ONLY)

U.S. Mail First Class  
Email: [bknotices@crgofusa.com](mailto:bknotices@crgofusa.com)

6 notices have been served. I have mailed 4 notices, e-mailed 2 notices, and faxed 1 notice.

/s/ Daniel T. Castagna

Daniel T. Castagna